

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor:	Erik O. Martz		
Appln. No.:	10/520,794		
Filed:	January 10, 2005	Examiner:	R. Anuradha
	Chisels and Procedure for Insertion of Spinal Implant	Group Art	
Title:	in a Spinal Disc Space	Unit:	3775

REQUEST FOR REFUND TO DEPOSIT ACCOUNT UNDER 37 CFR § 1.26**Mail Stop 16**

Director of the US Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby petition the Commissioner of Patents and Trademarks to credit a refund to Deposit Account No. 04-1420 for an overpayment which seems to have occurred in the processing of the above-identified patent application.

Specifically, on November 23, 2009, Applicants filed a Response to Restriction Requirement, along with the authorization for the Commissioner of Patents to charge the amount of \$865.00 in the above-identified patent application. Applicants respectfully submit that in calculating the extension of time fees, an error occurred in the determination, i.e., the fee should have been for only a three month extension of time, or \$555.00, rather than a four month extension of time, or \$865.00.

Therefore, pursuant to 37 C.F.R. § 1.26(a) and, as evidenced by the charge that appears on the Electronic Acknowledgement Receipt (copy attached), Applicants respectfully request a refund of \$310.00 to be credited to Deposit Account No.04-1420.

Respectfully submitted,

DORSEY & WHITNEY LLP
Customer Number 25763

Date: 12/16/09

By: *Kenneth E. Levitt*
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Electronic Acknowledgement Receipt

EFS ID:	6503095
Application Number:	10520794
International Application Number:	
Confirmation Number:	9963
Title of Invention:	Chisels and procedure for insertion of spinal implant in a spinal disc space
First Named Inventor/Applicant Name:	Erik O. Martz
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Filer:	Adam M. Bramwell/Julie Wang
Filer Authorized By:	Adam M. Bramwell
Attorney Docket Number:	525400-343
Receipt Date:	23-NOV-2009
Filing Date:	10-JAN-2005
Time Stamp:	11:15:53
Application Type:	U.S. National Stage under 35 USC 371

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$865

RAM confirmation Number	7641
Deposit Account	041420
Authorized User	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

- Charge any Additional Fees required under 37 C.F.R. 1.492 (National application filing, search, and examination fees)
- Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)
- Charge any Additional Fees required under 37 C.F.R. Section 1.19 (Document supply fees)
- Charge any Additional Fees required under 37 C.F.R. Section 1.20 (Post Issuance fees)
- Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		189512US2resptorRandPOA.pdf	855523 <small>3451a7c370846c2071809fa16d40714534c2 4d36</small>	yes	19

Multipart Description/PDF files in .zip description

Document Description	Start	End
Response to Election / Restriction Filled	1	1
Claims	2	11
Applicant Arguments/Remarks Made in an Amendment	12	13
Miscellaneous Incoming Letter	14	14
Power of Attorney	15	15
Assignee showing of ownership per 37 CFR 3.73(b).	16	19

Warnings:

Information:

2	Fee Worksheet (PTO-875)	fee-Info.pdf	30477 <small>b897ad80bc71a5f11ab0125d8e48a80653a7 a8c54</small>	no	2
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Warnings:

Information:

Total Files Size (in bytes):	886000
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This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.